## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NORTHEASTERN DIVISION

GARY JOSEPH LATHAM	]	
Petitioner,	]	
	]	
v.	]	No. 2:12-0097
	]	Judge Sharp
ROLAND COLSON, WARDEN	]	
Respondent.	]	

## ORDER

In accordance with the Memorandum contemporaneously entered, the Court finds that the petitioner's *pro se* habeas petition (Docket Entry No.1) lacks merit. Therefore, the petition is DENIED and this action is hereby DISMISSED. Rule 8(a), Rules -- § 2254 Cases.

Should the petitioner file a timely notice of appeal from this order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which shall NOT issue because the petitioner has failed to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.

Kevin H. Sharp

United States District Judge